

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Ray Parisien for Tyson Parisien,
& Tyson Parisien,

Plaintiffs,

vs.

Michael O. Leavitt, Secretary of the U.S.
Dept. of Health and Human Services, and
the United States,

Defendants.

Case No. 4:06-cv-015

ORDER OF CONSOLIDATION

Ray Parisien for Tyson Parisien, &
Tyson Parisien,

Plaintiffs,

vs.

Gale Norton, Secretary of the U.S
Department of the Interior, and the
United States of America,

Defendants.

Case No: 4:06-cv-016

The court conducted a status conference in Case No. 4:06-cv-016 on June 27, 2006, during which the parties agreed that Case Nos. 4:06-cv-015 and 4:06-cv-016 should be consolidated.

Rule 42 of the Federal Rules of Civil Procedure allows for the consolidation of actions involving common questions of law or fact pending before the Court. Having reviewed the parties respective complaints, the court finds that common questions of law and fact exist so as to warrant consolidation. Further, a consolidation of the above-entitled actions would provide for the best use of judicial resources. Finally, the parties have agreed to consolidation.

Accordingly, the court **ORDERS** that the above-captioned cases shall be in all respects **CONSOLIDATED**. The pretrial deadlines and trial date established in Case No. 4:06-cv-015 shall equally apply in Case No. 4:06-cv-016. Case No. 4:06-cv-015 shall be designated the lead case and all future filings shall be made in that case.

IT IS SO ORDERED.

Dated this 27th day of June, 2006.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge